



US Army Corps
of Engineers
Alaska District

Public Notice of Application for Permit

Regulatory Branch (1145b)
3437 Airport Way
Suite 206
Fairbanks, Alaska 99709-4777

PUBLIC NOTICE DATE: May 3, 2004

EXPIRATION DATE: May 18, 2004

REFERENCE NUMBER: POA-2004-615-4

WATERWAY NUMBER: Uncle Sam Creek

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States as described below and shown on the attached plan.

APPLICANT: Minto Traditional Council - Chief Andrew Jimmy, Post Office Box 26, Minto, Alaska 99758

AGENT: Mr. Charles Woodlee, Environmental Health Specialist, 1867 Airport Way suite 215, Fairbanks, Alaska 99701.

LOCATION: Latitude: N 65.16647, Longitude: W -149.47096, Section 19, Township 4 North, Range 9 West, Fairbanks Meridian, Livengood A-5 Quadrangle.

WORK: The applicant proposes to discharge approximately 0.4 cubic yards of fill material into 0.3 acres of wetlands.

PURPOSE: To construct a solid waste landfill to replace the existing dump site utilized by the Village of Minto.

ADDITIONAL INFORMATION: The existing dumpsite in Minto is an unpermitted open dump that violates the FAA required separation distance between the site and the airport. The new landfill would replace the existing site and meet the FAA requirement.

The landfill site is approximately 5.4 acres. The applicant has modified the site plan to minimize impacts to wetlands, which were delineated by ABR, Inc. for site planning purposes.

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until a certification or waiver of certification as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRS) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There are no listed or eligible properties in the vicinity of the worksite. Consultation of the AHRS constitutes the extent of cultural resource investigations by the District Engineer at this time, and he is otherwise unaware of the presence of such resources. This application is being coordinated with the State Historic Preservation Office (SHPO). Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

ENDANGERED SPECIES: Preliminarily, the described activity will not affect threatened or endangered species, or their critical habitat designated as endangered or threatened, under the Endangered Species Act of 1973 (87 Stat. 844). This application is being coordinated with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. Any comments they may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

ESSENTIAL FISH HABITAT: The proposed work is being evaluated for possible effects to Essential Fish Habitat (EFH) pursuant to the Magnuson Stevens Fishery Conservation and Management Act of 1996 (MSFCMA), 16 U.S.C. et seq and associated federal regulations found at 50 CFR 600 Subpart K. The Alaska District includes areas of EFH as Fishery Management Plans. We have reviewed the January 20, 1999, North Pacific Fishery Management Council's Environmental Assessment to locate EFH area as identified by the National Marine Fisheries Service (NMFS). We have determined that the described activity within the proposed area will not adversely affect EFH, including anadromous fish and federally managed fishery resources.

SPECIAL AREA DESIGNATION: None.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision should reflect the national concern for both protection and utilization of important resources. All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public

interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. Please contact Mrs. Sheila Newman at (907) 474-2166, if further information is desired concerning this notice.

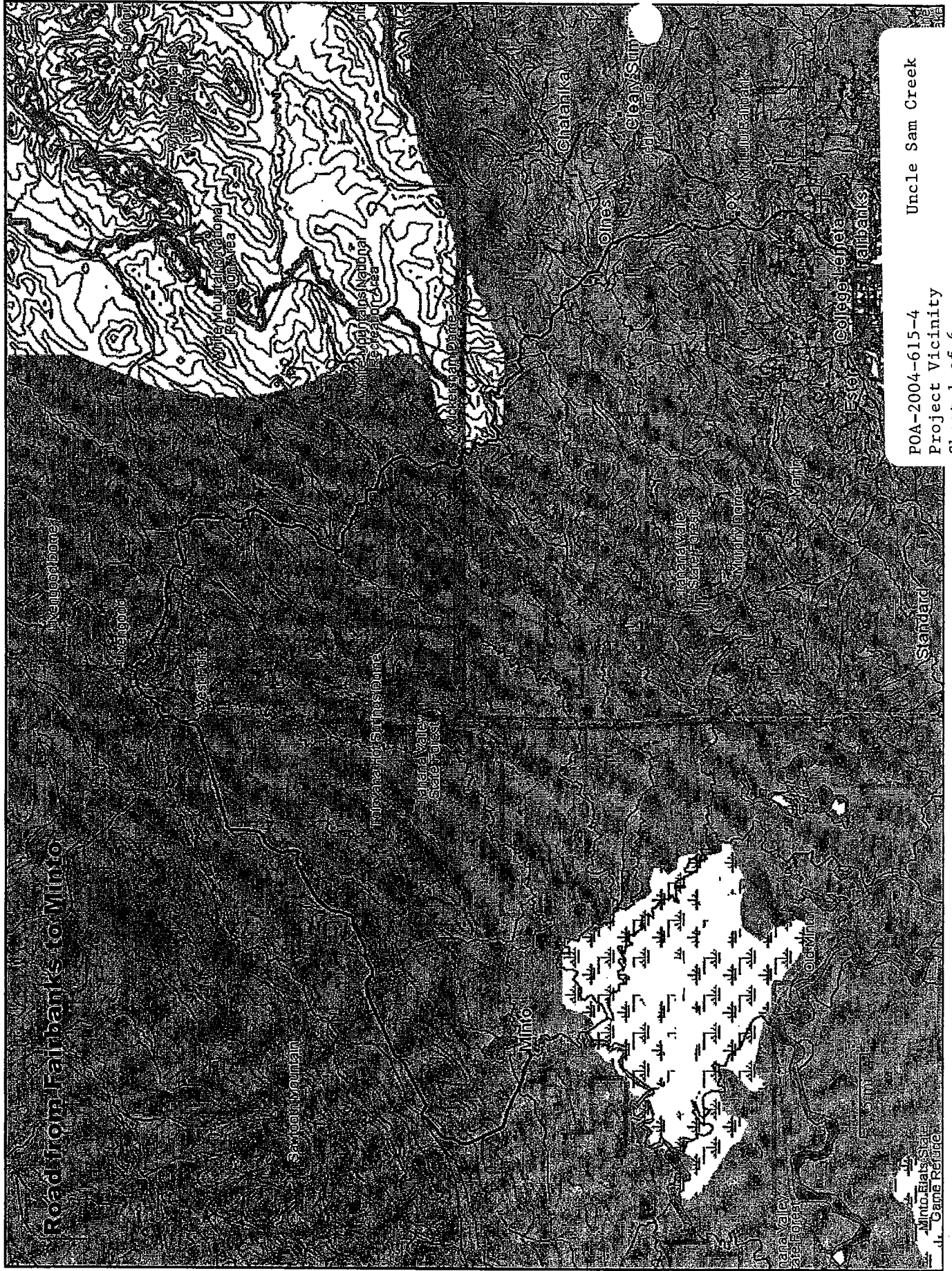
AUTHORITY: This permit will be issued or denied under the following authority:

Discharge dredged or fill material into waters of the United States - Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

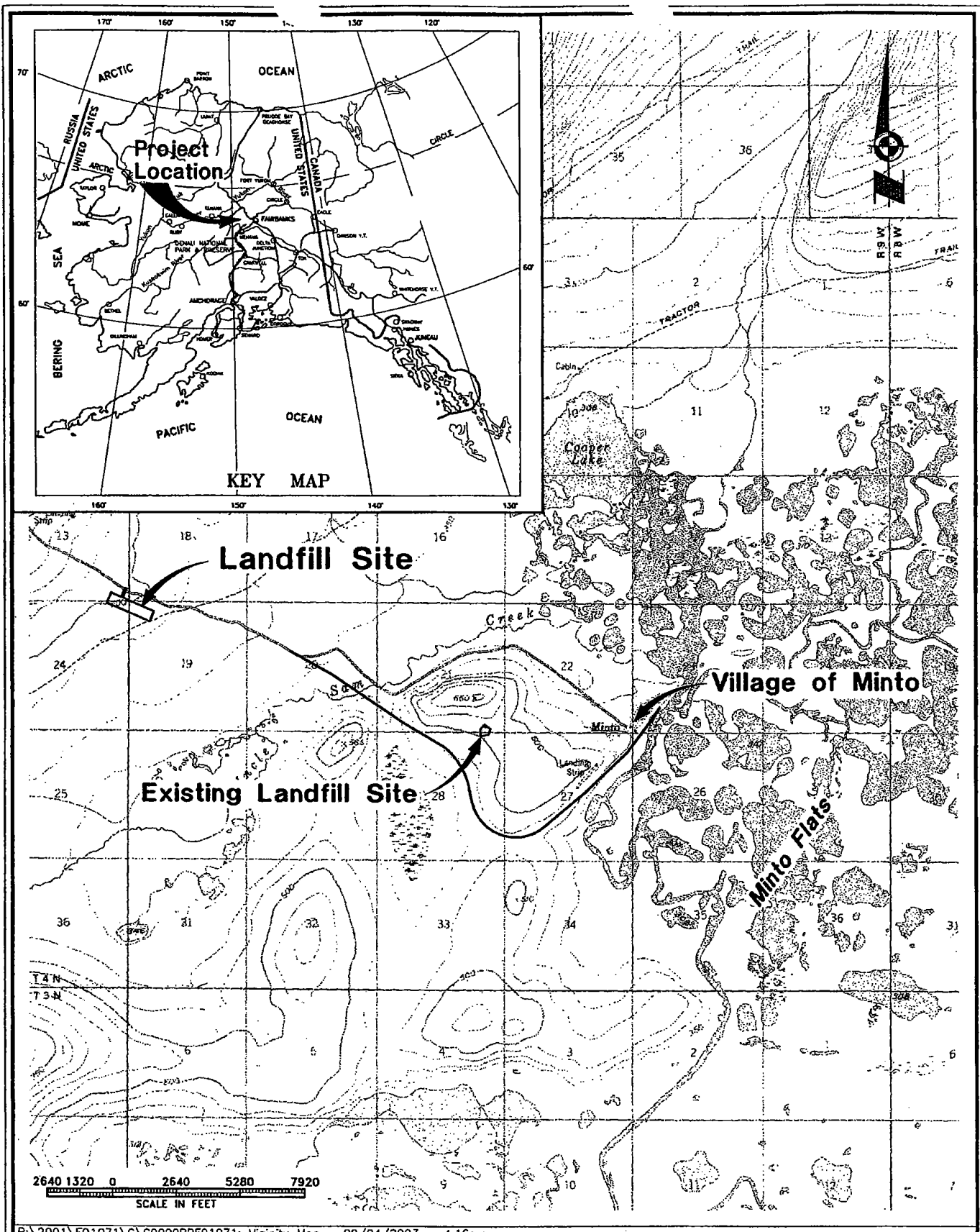
A plan and Notice of Application for State Water Quality Certification are attached to this Public Notice.

District Engineer
U.S. Army, Corps of Engineers

Attachments



POA-2004-615-4 Uncle Sam Creek
Project Vicinity
Sheet 1 of 6
Minto Traditional Council 4-30-04



P:\2001\F01071\C\C0000RPF01071: Vicinity Map 09/04/2003 - 4:16pm

Planning Design Construction
PDC INC.
Consulting Engineers
 1028 Aurora Drive, Fairbanks, Alaska 99709-5529

LOCATION AND VICINITY MA
MINTO LANDFILL
MINTO, ALASKA

POA-2004-615-4
 ProjectLocation
 Sheet 2 of 6
 Minto Traditional Council

Uncle Sam Creek
 4-30-04



ALASKA NATIVE TRIBAL HEALTH CONSORTIUM
Dept. of Environmental Health & Engineering
3925 Tudor Centre Drive
Anchorage, Alaska 99508 - 5997

Project: MINTO LF Pg. 1 of 1
Subject: SOIL DISTURBED Date 3/18
Detail: WETLAND PERMIT
Prepared By: D. CHAMBERS

Q. What is the volume of soil disturbed by building fence across delineated wetland at Minto LF site?

A. Minto LF design - sheet C1 - shows dimensions of LF. Delineated wetlands are along SW border.

Length of fence through W/L = \sim

$$1.2'' + 2.5'' + 0.5'' = 4.2'' \times 120' = 504' \text{ say } \underline{510'}$$

Fence design calls for a post every 10' - so there will be 51 posts installed in delineated W/L. The corner and brace posts require a 12" hole drilled to a depth of 4 1/2'. The line posts are driven and require NO excavation. According to the design only the one corner post and two accompanying brace posts require an excavation in the W/L.

$$\begin{aligned} \left(\frac{12''}{12''} \text{ hole} \right)^2 \times \frac{\pi}{4} \times 4.5' \text{ drop} &= 3.5 \text{ ft}^3 \text{ of soil ea post hole} \times 3 \text{ holes} \\ &= 10.5 \text{ ft}^3 \text{ of soil} \times \frac{1 \text{ yd}^3}{27 \text{ ft}^3} \\ &= 0.4 \text{ yd}^3 \text{ soil disturbed for fence posts} \end{aligned}$$

If the bear deterrent fence is constructed as shown on the design, then a strip approximately 4' wide by 1' deep will be excavated along the entire length of the fence, the replaced back in its original place. The volume of this soil is =

$$510' \times 4' \times 1' = 2040 \text{ ft}^3 \times \frac{1 \text{ yd}^3}{27 \text{ ft}^3} = 75 \text{ yd}^3$$

POA-2004-615-4 Uncle Sam Creek
Fill in wetlands defined
Sheet 4 of 6
Minto Traditional Council

4-30-04

ACCESS ROAD PROFILE

STATION	PROPOSED EL	EXISTING EL
10+00	100	100
11+00	97	96
12+00	95	94
13+00	94	94
14+00	90	94
15+00	80	90
15+50	87	86

COORDINATE TABLE

DESCRIPTOR	NORTHING	EASTING
COR 1	14645.81	19777.25
COR 4	14644.04	19117.50
COR 5	15054.00	19266.38
COR 6	14977.80	19703.84
COR 7	15244.68	19862.76
COR 8	15212.89	19936.17

ESTIMATE OF QUANTITIES

ITEM	ITEM	UNIT	QUANTITIES
1	TRENCH CONSTRUCTION	CT	2,770
2	ANIMAL PIT CONSTRUCTION	CT	200
3	STORAGE SHED	EA	1
4	GRAVEL PAD	CT	30
5	LANDFILL ACCESS ROAD CUT	CT	1,360
6	LANDFILL ACCESS ROAD FILL	CT	875
7	CELL ACCESS ROAD FILL	CT	650
8	GEOTEXTILE	CT	3,600
9	SIGNS	EA	25
10	18" CULVERT W/ FLARED ENDS	LF	25
11	24" CULVERT W/ FLARED ENDS	LF	30
12	FENCING	LF	1,850
13	CLEARING	AC	5.4

SURVEY NOTES

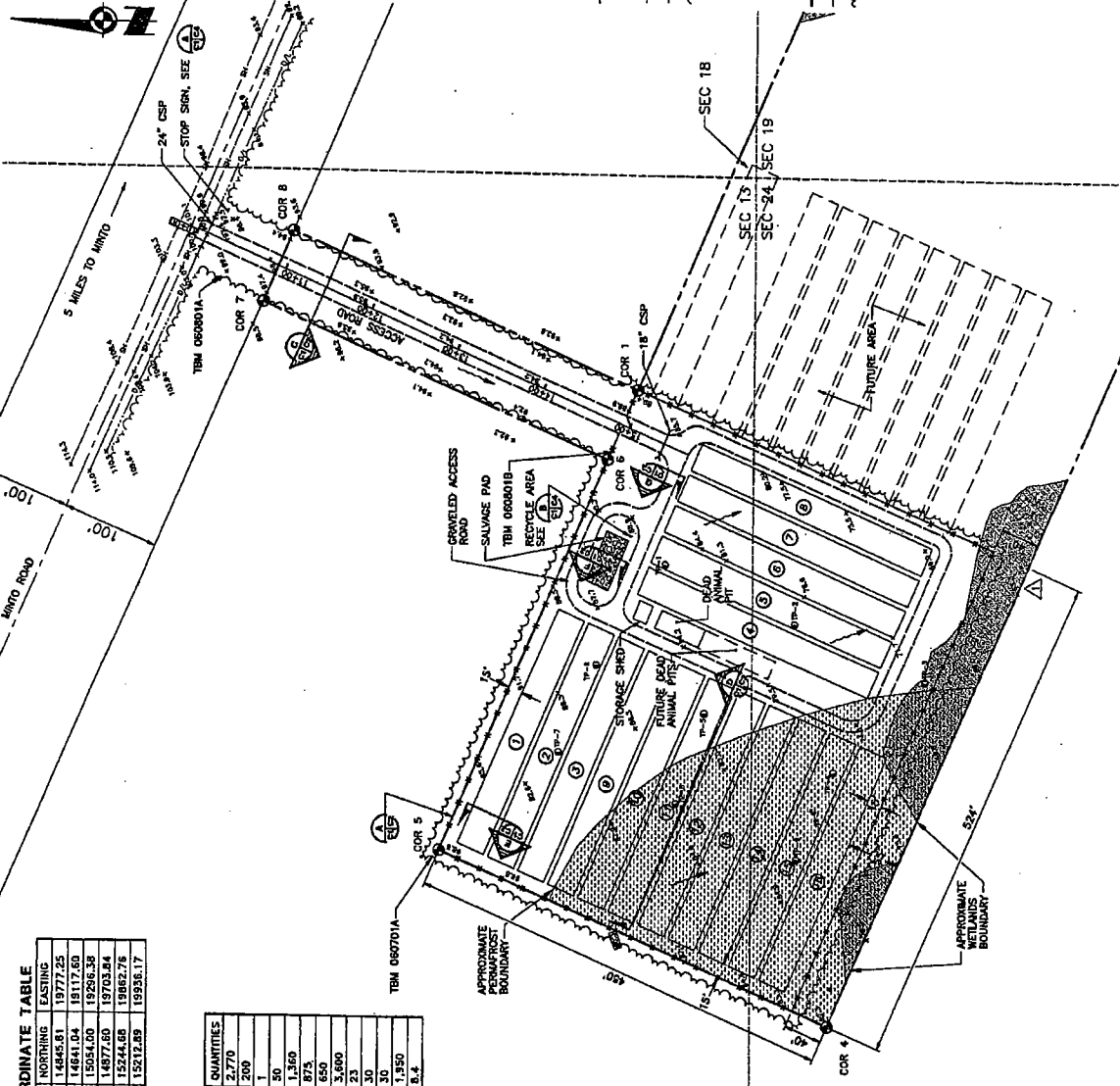
1. THE TOPOGRAPHIC SURVEY WAS PERFORMED IN JUNE, 2001.
2. THE BASIS OF COORDINATES IS THE POSITION OF THE RECOVERED BLM BRASS MONUMENT AT THE CORNER OF THE COMMON TO SECTIONS 12 AND 13, T4N, R10W, AND SECTIONS 7 AND 18, T4N, R9W. THIS MONUMENT WAS ASSIGNED COORDINATES: 20,000 N, 20,000 E.
3. THE BASIS OF BEARINGS IS THE BLM RECOVERED BEARING BETWEEN THE RECOVERED BLM BRASS MONUMENT AT THE CORNER OF THE COMMON TO SECTIONS 12 AND 13, T4N, R10W, AND SECTIONS 7 AND 18, T4N, R9W, AND THE RECOVERED BLM BRASS MONUMENT AT THE CORNER OF THE COMMON TO SECTIONS 24 AND 25, T4N, R10W, AND SECTIONS 19 AND 30, T4N, R9W. THIS BEARING IS N 00°00'00" E.
4. THE BASIS OF ELEVATIONS IS TBM 060701A, ASSIGNED THE ARBITRARY ELEVATION OF 100.00 FEET.
5. ALL VALUES ARE EXPRESSED IN U.S. SURVEY FEET.
6. THE ENTIRE LANDFILL PARCEL BOUNDARY AND TIES TO RECOVERED MONUMENTATION ARE SHOWN ON THE PLAN OF THE MINTO SANITARY LANDFILL PARCEL.

TBM DESCRIPTIONS

- TBM 060801A 100.00 FEET
SPIKE IN SOUTH SIDE OF BASE OF 7 INCH DIAMETER BIRCH TREE, APPROXIMATELY 50 FEET SOUTHWEST OF MINTO ROAD CENTERLINE AND APPROXIMATELY 30 FEET WEST OF LANDFILL ACCESS ROAD CENTERLINE.
- TBM 060801B 90.45 FEET
SPIKE IN NORTH SIDE OF BASE OF 4 INCH DIAMETER BIRCH TREE, APPROXIMATELY 10 FEET SOUTHWEST OF LANDFILL BOUNDARY AND APPROXIMATELY 30 FEET NORTHWEST OF LANDFILL ACCESS ROAD CENTERLINE.
- TBM 060701A 99.42 FEET
SPIKE IN NORTH SIDE OF BASE OF 6 INCH DIAMETER BIRCH TREE, APPROXIMATELY 9 FEET SOUTHWEST OF CORNER 5 OF THE LANDFILL BOUNDARY.

A SITE PLAN

CHIC



LEGEND

- EXISTING REAR WITH ALCP
- EXISTING DITCH LINE
- EXISTING SHOULDER
- EXISTING TREE LINE
- CELL NUMBER
- CULVERT
- DRAINAGE DIRECTION
- TEST PIT (APPROXIMATE LOCATION)
- PROPERTY LINE
- FENCE
- TREE LINE/CLEARING LIMITS
- SIGN
- CONTROL POINT
- TEMPORARY BENCH MARK
- CORRUGATED STEEL PIPE
- INVERT ELEVATION
- LINEAL FEET
- RADIUS
- TYPICAL

60 30 0 60 120 180
SCALE IN FEET

NO.	DATE	REVISIONS	ITEM
1	10/04	1	DATE
2	10/04	2	DATE
3	10/04	3	DATE
4	10/04	4	DATE
5	10/04	5	DATE
6	10/04	6	DATE
7	10/04	7	DATE
8	10/04	8	DATE
9	10/04	9	DATE
10	10/04	10	DATE
11	10/04	11	DATE
12	10/04	12	DATE
13	10/04	13	DATE
14	10/04	14	DATE
15	10/04	15	DATE
16	10/04	16	DATE
17	10/04	17	DATE
18	10/04	18	DATE
19	10/04	19	DATE
20	10/04	20	DATE
21	10/04	21	DATE
22	10/04	22	DATE
23	10/04	23	DATE
24	10/04	24	DATE
25	10/04	25	DATE
26	10/04	26	DATE
27	10/04	27	DATE
28	10/04	28	DATE
29	10/04	29	DATE
30	10/04	30	DATE

POA-2004-615-4 Uncle Sam Creek
Comprehensive plan view
Sheet 5 of 6
Minto Traditional Council 4-30-04

FRANK H. MURKOWSKI, GOVERNOR

STATE OF ALASKA

OFFICE OF THE GOVERNOR

DEPT. OF ENVIRONMENTAL CONSERVATION

DIVISION OF WATER

Non-Point Source Water Pollution Control Program
401 Certification Program

NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. By agreement between the U.S. Army Corps of Engineers and the Department of Environmental Conservation, application for a Department of the Army permit to discharge dredged or fill material into navigable waters under Section 404 of the Clean Water Act also may serve as application for State Water Quality Certification.

Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice No. POA-2004-615-4, Uncle Sam Creek serves as application for a short-term variance of State Water Quality Certification from the Department of Environmental Conservation, as provided in Section 401 of the Clean Water Act of 1977 (PL 95-217).

The Department will review the proposed activity to ensure that, except for an allowed, short-term variance, any discharge to waters of the United States resulting from the referenced project will comply with the Clean Water Act of 1977 (PL95-217), the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

Any person desiring to comment on the project with respect to Water Quality Certification may submit written comments within 30 days of the date of the Corps of Engineer's Public Notice to:

Department of Environmental Conservation
WQM/401 Certification
555 Cordova Street
Anchorage, Alaska 99501-2617
Telephone: (907) 269-7564
FAX: (907) 269-7508